

FORM PTO-1399  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

GIC-551

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/806626**

INTERNATIONAL APPLICATION NO.  
PCT/US99/22663

INTERNATIONAL FILING DATE  
29 September 1999

PRIORITY DATE CLAIMED  
02 October 1998

TITLE OF INVENTION **METHOD AND APPARATUS FOR PROVIDING RATE  
CONTROL IN A VIDEO ENCODER**

APPLICANT(S) FOR DO/EO/US  
**Siu-Wai WU**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - (a) Copy of patent application specification for U.S. examination (includes pgs. 19 & 34 and claims as amended on September 18, 2000 in reply to Written Opinion dated July 19, 2000)

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- (b) One (1) sheet of formal drawing, together with separate transmittal letter
- (c) Patent Application Data Entry Form
- (d) Express Mail Certificate

09806626-0402001

U.S. APPLICATION NO. <b>09/806626</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US99/22663</b>		ATTORNEY'S DOCKET NUMBER <b>GIC-551</b>	
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>          <div style="display: flex; justify-content: space-between;"> <span>\$ 690.00</span> <span></span> </div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ ----	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	26 - 20 =	6	x \$18.00	\$	108.00
Independent claims	4 - 3 =	1	x \$80.00	\$	80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	878.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ ----
<b>SUBTOTAL =</b>				\$	878.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	----
<b>TOTAL NATIONAL FEE =</b>				\$	878.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	40.00
<b>TOTAL FEES ENCLOSED =</b>				\$	918.00
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$ 918.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 50-0625. A duplicate copy of this sheet is enclosed.


d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Barry R. Lipsitz  
 Law Offices of Barry R. Lipsitz  
 755 Main Street, Building No. 8  
 Monroe, CT 06468  
 (203) 459-0200  
 Date: 02 April 2001

  
 SIGNATURE  
 Barry R. Lipsitz  
 NAME  
 28,637  
 REGISTRATION NUMBER

Express Mail No.: EL 628 667 997 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WU

Filed: Herewith

For: **METHOD AND APPARATUS FOR PROVIDING RATE CONTROL IN A  
VIDEO ENCODER**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EL 628 667 997 US) in an envelope addressed to: BOX PCT, Commissioner for Patents, Washington, D.C. 20231 on: April 2, 2001

By:

Cathy Dunne  
Cathy Dunne

**DRAWING REVIEW BRANCH**  
Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWING(S)

Dear Sir:

Enclosed is ONE (1) sheet of formal drawing for filing in the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,

Barry R. Lipsitz

Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. No. 8  
Monroe, CT 06468  
(203) 459-0200

Date: April 2, 2001  
ATTORNEY DOCKET NO.: GIC-551

09806626-040001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Siu-Wai WU )  
U.S. Application No.: )  
International Application No.: PCT/US99/22663 )  
U.S. Filing Date: Herewith )  
International Filing Date: September 29, 1999 )  
Title: METHOD AND APPARATUS FOR PROVIDING RATE )  
CONTROL IN A VIDEO ENCODER )

BOX PCT  
Commissioner for Patents  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Mailing Label No: EL 628 667 997 US Date of Deposit: April 2, 2001.

I hereby certify that the attached:

- [x] Check - \$918.00 (national fee and Assignment recordal fee)
- [x] PTO Form 1390 - *Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371* -- 2 sheets
- [x] Patent application data entry form -- 1 sheet
- [x] Declaration and Power of Attorney
- [x] Assignment, together with separate transmittal Form PTO-1595
- [x] Patent application specification, including claims and abstract - 51 pages (version for U.S. examination incorporating pages 19 & 34 and claims as amended on 9/18/00 in international application)
- [x] One (1) sheet of formal drawing, together with separate transmittal letter

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PCT, Commissioner for Patents, Washington, D.C. 20231

Cathy Dunne

Typed or printed name of person mailing paper or fee



Signature of person mailing paper or fee

Respectfully submitted,



Barry R. Lipsitz  
Attorney for Applicant(s)  
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Date: April 2, 2001  
Attorney Docket No.: GIC-551